

NURSING BOARD[655]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 17A.3 and 147.76, the Board of Nursing hereby amends Chapter 3, “Licensure to Practice—Registered Nurse/Licensed Practical Nurse,” Iowa Administrative Code.

The amendment to Chapter 3 changes the requirement for reactivating an inactive license by requiring that proof of 36 contact hours instead of 12 contact hours of continuing education (CE) be provided.

Notice of Intended Action proposing to amend Chapter 3 and adopt a new Chapter 5 was published in the Iowa Administrative Bulletin as **ARC 3046C** on May 10, 2017, and a public hearing was held on May 30, 2017, at the Board office. Comments were received that included positive support for the rule making as well as a request for further clarification and explanation relating to the amendments. As a result, on July 19, 2017, the Board of Nursing adopted new Chapter 5, which was identical to that published in Item 3 in **ARC 3046C**, and the Adopted and Filed rule making was published on September 13, 2017, as **ARC 3311C**. The proposed amendments to Chapter 3 required additional research, and the amendment to Chapter 3 described above was adopted by the Board on October 4, 2017. The proposed amendment to rule 655—3.5(17A,147,152,272C), which would have required licensees (endorsements, reactivations, foreign-educated, and requests for temporary) to provide proof of active licensure in any jurisdiction within the previous five years of the date of application and would have added the requirement of a nurse refresher course for licensees who have not been actively licensed in any jurisdiction within the previous five years, was not adopted. In addition, the implementation sentence in rule 655—3.7(17A,147,152,272C) is now amended.

After analysis and review of this rule making, no fiscal impact has been found.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code chapters 147, 152, and 272C.

This amendment will become effective on January 1, 2018.

The following amendment is adopted.

Amend rule 655—3.7(17A,147,152,272C) as follows:

655—3.7(17A,147,152,272C) License cycle.

3.7(1) to 3.7(4) No change.

3.7(5) Inactive status. The license shall become inactive when the license has not been renewed by the fifteenth day of the month following the expiration date on the wallet card or the board office has been notified by another compact state that a licensee has declared a new primary state. Pursuant to 655—subrule 16.2(8), the former home state license shall no longer be valid upon the issuance of a new home state license.

a. to c. No change.

d. To reactivate the license, the licensee shall complete the reactivation requirements.

(1) No change.

(2) The licensee shall have obtained ~~12~~ 36 contact hours of continuing education, as specified in 655—Chapter 5, within the ~~12~~ 36 months prior to reactivation.

(3) Upon receipt of the completed reactivation application, required continuing education materials, two completed fingerprint cards and a signed waiver form to facilitate a national criminal history background check, fees for both the reactivation and the criminal history background check and verification that the primary state of residence is Iowa or a noncompact state, the licensee shall be issued a license for a 24- to 36-month period. At the time of the next renewal, the license will be placed on a three-year renewal cycle. Expiration shall be on the fifteenth day of the licensee’s birth month. The board staff may issue a certificate of license prior to receipt of a report on the applicant from the DCI/FBI.

(4) An applicant who fails to complete the reactivation of licensure process within 12 months from the date of initial application must reapply. All fees are nonrefundable.

3.7(6) and **3.7(7)** No change.

This rule is intended to implement Iowa Code sections 147.2 ~~and 147.9 to~~, 147.10, 147.11, 272C.2, and 272C.3 and chapter 152.

[Filed 10/23/17, effective 1/1/18]

[Published 11/22/17]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 11/22/17.